



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

**MAY 25 2011**

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-084

Michael L. Verhaar  
Environmental Affairs Manager  
The Boeing Company  
737 Airplane Program  
M/C 63-74  
P.O. Box 3707  
Seattle, Washington 98124-2207

Re: Toxic Substances Control Act (TSCA) Risk-Based Disposal Approval for the Boeing  
Plant 2 Facility – First Revision

Dear Mr. Verhaar:

This letter is in response to your letter of February 7, 2011, in which you provided a written notice of Boeing's plan for the cleanup of PCBs with as-found concentrations less than 50 mg/kg polychlorinated biphenyls (PCBs) at the Boeing Plant 2 Facility. This written notice was provided pursuant to Condition 3 of EPA's original risk-based disposal approval (RBDA, Reference 4) and schedule extension (Reference 5). In response to your letter, EPA is modifying the existing RBDA to include the following:

- Interim approval of the cleanup remedy to address foundation concrete with as-found PCB concentrations less than 50 parts per million (ppm);
- Approval to include a feature in Area 72 to be managed pursuant to Condition 1 of this RBDA approval as PCB remediation waste containing greater than 50 ppm PCBs.

In addition, EPA is removing the former Condition 8, which required Boeing to provide notification of its PCB handling activities pursuant to 40 Code of Federal Regulations (C.F.R.) 761.205. Following issuance of the November 19, 2010 schedule extension (Reference 5), Boeing informally noted that it is neither conducting, nor is authorized to conduct, any of the activities which require notification pursuant to 40 C.F.R. 761.205. Upon further review, EPA agrees with Boeing on this point.

For purposes of clarity, EPA is including conditions of the original RBDA with the requested modification below. EPA has also revised the original statement of basis to fully reflect EPA's rationale for establishing the revised conditions of the RBDA.

## Conditions

1. Boeing is authorized to perform cleanup, verification, and on-site storage for disposal of PCB remediation waste associated with features with PCB concentrations greater than or equal to 50 mg/kg (parts per million) as documented in Section 2.0 of Reference 7. Boeing will conduct this work as documented in Boeing's RBDA application (Reference 3) and the "Revised Work Plan, TSCA Material Management, Plant 2 Demolition Area, Seattle, Washington" (Reference 7).
2. Boeing is granted interim authorization to cleanup and sample concrete with as-found PCB concentrations less than 50 mg/kg as documented in Boeing's February 7, 2011 letter (Reference 6), and use of Plant 2 tunnels as a unit for disposal of such concrete following crushing. The scope of this interim authorization includes bullets 1-6 associated with the plan for demolition and cleanup of the Plant 2 foundation documented in Reference 6. Boeing must conduct all sampling and analysis associated with crushed concrete according to a written sampling and analysis plan that specifies all field and analytical laboratory quality assurance/quality control that will be used to document the quality of the resulting analytical data. Boeing must keep records that include the written sampling and analysis plan, documentation of all sampling and analysis conducted according to the sampling and analysis plan, and the quantity and approximate location where crushed concrete subject to this approval is placed in Plant 2 tunnels. Boeing will ensure that these records are made available to EPA upon request.
3. Concurrent with the submission to EPA of the Plant 2 Corrective Measures Study (CMS) Report associated with the existing Resource Conservation and Recovery Act (RCRA) Administrative Order for Plant 2, Boeing will provide a copy of this report to EPA according to Condition 11. The CMS report will contain specifications and requirements for all engineering and institutional controls necessary to ensure that PCBs remaining on-site do not pose an unreasonable risk of injury to health and the environment, along with the placement locations and analytical results for the concrete backfill. Boeing will also provide EPA a copy of the Interim Measures Completion Report documented in Section 3.0 of Reference 8.
4. This approval will remain in effect for a period of two years following the most recent approval or modification signature date, or the duration of the authorized activities, whichever is shorter. Boeing may request an extension to this authorization by providing a written request to EPA according to Condition 11.
5. In conducting demolition activities authorized by this approval, Boeing shall ensure that effective controls are in place to prevent or minimize airborne dispersal of concrete or other material contaminated with PCBs. These controls may include temporary enclosures, or water sprays or mists. If water sprays or mists are used, the quantity of water shall be the minimum required for effective dust control, and shall be applied in a manner that minimizes or prevents the accumulation of liquids, run-off or infiltration into underlying soils.
6. Boeing will ensure that lined roll-off boxes or other containers in which PCB remediation waste is placed under this approval will have liners adequate to prevent any incidental liquids from leaking from the boxes or containers. Roll-off boxes containing PCB remediation waste must be covered with a tarpaulin or other suitable cover to prevent potential air

dispersal except when adding PCB remediation waste to a roll-off box. Storage for disposal of bulk PCB remediation waste must occur within the footprint of the 2-40s and 2-60s Areas.

7. Except for incidental liquids and water associated with control of air dispersal of concrete or other material contaminated with PCBs, any liquids in contact with or associated with PCBs being removed pursuant to this approval must be collected, placed in containers meeting applicable Department of Transportation requirements at 49 C.F.R. Part 178, and managed according to applicable requirements of 40 C.F.R. Part 761.
8. Boeing will ensure that the health and safety plan discussed in Section 4.0 of Reference 1 documents appropriate training and personal protective equipment required for all personnel that may be exposed to PCBs during demolition activities under this approval. Boeing will provide the EPA a copy of this health and safety plan according to Condition 11 no later than two weeks prior to the start of demolition activities.
9. Nothing in this approval relieves Boeing of any obligation to comply with other rules and regulations applicable to the activities subject to this approval.
10. If at any time before, during, or after storage of PCB remediation waste pursuant to this approval, Boeing possesses or is otherwise made aware of any data or information (including but not limited to site conditions that differ from those presented in the application) that activities approved herein may pose an unreasonable risk of injury to health or the environment, Boeing must report such data or information via facsimile or e-mail to EPA according to Condition 11 within five working days, and in writing to the Regional Administrator within 30 calendar days of first possessing or being made aware of such data or information. Boeing shall also report in the same manner, new or different information related to a condition or any element of the approved activities if the information is relevant to this approval. EPA may direct Boeing to take such actions it finds necessary to ensure the approved activities do not pose an unreasonable risk of injury to health or the environment. Boeing shall follow such direction until written approval is obtained from EPA that finds the condition(s) requiring such direction no longer poses an unreasonable risk of injury to health or the environment. EPA reserves the right to modify or revoke this approval based on information provided pursuant to this condition, or any other information available to EPA that provides a basis to conclude that activities covered by this approval pose an unreasonable risk of injury to health or the environment.
11. Submissions required by this approval shall be provided to EPA as follows:

EPA: Edward J. Kowalski, Director  
 Office of Compliance and Enforcement  
 EPA Region 10  
 1200 6<sup>th</sup> Ave., Suite 900, MS OCE-164  
 Seattle, Washington 98101  
 E-mail: [Kowalski.edward@epa.gov](mailto:Kowalski.edward@epa.gov)  
 Facsimile: (206) 553-7176

w/copies to Dave Bartus  
 Office of Air, Waste and Toxics  
 EPA Region 10

1200 6<sup>th</sup> Avenue, Suite 900, MS AWT-122  
Seattle, Washington 98101  
E-mail: [Bartus.dave@epa.gov](mailto:Bartus.dave@epa.gov)  
Facsimile: (206) 553-8509

Should you have any questions or comments, please contact Dave Bartus at (206) 553-2804, or [Bartus.dave@epa.gov](mailto:Bartus.dave@epa.gov).

Sincerely,



Edward J. Kowalski  
Director

Enclosures (2)

cc: Shawn Blocker  
Environmental Protection Agency

Mark Edens  
Washington Department of Ecology  
Northwest Regional Office